

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
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Ex parte JOHN M. EGNOR  
\_\_\_\_\_

Application 08/828,560  
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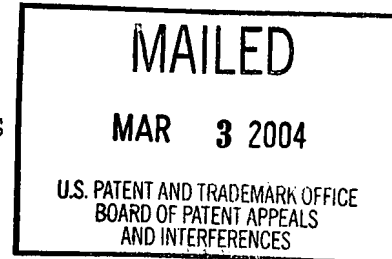
ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
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This application was received at the Board of Patent Appeals and Interferences (BPAI) on February 4, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 17, 2003, the examiner filed an examiner's answer (Paper No. 29). There is no indication that an appeal conference was held. The Manual of Patent Examining Procedures (MPEP) § 1208 states:

The participants of the appeal conference should include (1) the examiner charged with preparation of the examiner's answer, (2) a supervisory patent examiner (SPE), and (3) another examiner, known as a conferee, having sufficient experience to be of assistance in the consideration of the merits of the issues on appeal.

...



Application 08/828,560

On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. **These two appeal conference participants must place their initials next to their names. This will make the record clear than an appeal conference has been held.**


Upon receipt of the appeal case by the Board of Patent Appeals and Interferences (Board), the Board should review the application prior to assigning an appeal number to determine whether an appeal conference has been held.

Accordingly, it is

ORDERED that this application be returned to the examiner for indication that an appeal conference was held by the above guidelines set forth in MPEP § 1208, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:



Frances C. Han  
Program and Resource Administrator  
(703) 308-9797

cc:

Timothy W. Chell  
28 Cooper Street  
Woodbury, NJ 08096

FCH/cam  
RA04-0283